

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED MAR 19 2012

EZEKIEL SIMMONS,
Petitioner,
v.
COMMONWEALTH OF
PENNSYLVANIA, et al.,
Respondents.

CIVIL ACTION
NO. 11-5575

FILED

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 16 day of March, 2012, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the Response thereto, and after review of the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport, IT IS HEREBY ORDERED that:

1. the Report and Recommendation is APPROVED and ADOPTED;
2. the Petition for Writ of Habeas Corpus is DISMISSED WITH PREJUDICE and without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:



Eduardo C. Robreno, J.

ENTERED

MAR 19 2012

CLERK OF COURT